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UTILITY PATENT APPLICATION TRANSMITTAL

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JC928 U.S. PTO

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09/977636

Address to: Box PATENT APPLICATION Commissioner for Patents United States Patent & Trademark Office Washington, D.C. 20231	Attorney Docket No.	RPC 0554 PUS
	Inventor(s) or Appln. Identifier	William P. Apps Robert V. Gruber

1. This application entitled NESTABLE CRATE FOR CONTAINERS is:
- a. X A new application under 37 C.F.R. § 1.53(b).
- b. A continuation divisional or continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. filed on , entitled .
- c. A new utility application which claims the benefit of provisional application Serial No. , filed on .

Application elements and other attached papers:

2. X Specification (including Claims and Abstract) [Total Pages 18]
3. X Drawings (X informal / formal) [Total Sheets 17]
4. X Oath or Declaration
- a. X Newly-executed
- b. Copy from a prior application (37 C.F.R. § 1.63(d))
5. Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
- a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
- b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

CERTIFICATION UNDER 37 C.F.R. § 1.10	
I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Box Patent Application, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:	
Express Mail Label No. <u>ET 677 722 624 US</u>	<u>Konstantine J. Diamond</u> (Type or print name of person mailing paper)
Date of Deposit: <u>October 15, 2001</u>	<u>Konstantine J. Diamond</u> (Signature of person mailing paper)

7. Preliminary Amendment:

- a. ☐ For purposes of publication, a Preliminary Amendment is attached and the claims to be examined for this continuation application have been incorporated into the Application as filed.
- b. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee.
- c. ☐ Please amend the specification by inserting before the first line the following sentence:
 "This is a _____ continuation _____ divisional of copending application(s) serial number _____ filed on _____."
- d. ☐ A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

8. Small entity status:

- a. ☐ Applicant claims small entity status.
- b. ☐ Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer desired.

9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	25 -20 =	5	x 18.00	90
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	6 -3 =	3	x 84.00	252
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			290.00	
BASIC FEE (37 C.F.R. § 1.16(a))				740.00
TOTAL OF ABOVE CALCULATIONS				
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)				
\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)				40.00
TOTAL				1122.00

10. ☒ A check in the amount of \$ 1122.00 is enclosed.
11. ☒ The Commissioner is hereby authorized to charge the additional \$ _____, as well as credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 50-1984 :
- a. ☒ Fees required under 37 C.F.R. § 1.16.
- b. ☒ Fees required under 37 C.F.R. § 1.17.
12. Maintenance of Copendency of Prior Application
☐ A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____.
13. ☐ An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:

- a. ☐ Form PTO/SB/08 (☐ sheet(s))
- b. ☐ Copies of references cited are not included because they were cited in the parent application as allowed by 37 C.F.R. § 1.98(d).
14. ☐ Certified copy of priority document(s)
15. ☐ Nonpublication Request Under 37 C.F.R. § 1.213(a)
16. ☐ Request for Early Publication Under 37 C.F.R. § 1.219
17. ☒ Return Receipt Postcard
18. ☐ Other: _____
19. ☒ An Assignment of the invention to REHRIG PACIFIC COMPANY
having an address of 4010 E. 26th Street, Los Angeles, California 90023
- a. ☒ is attached.
- b. ☐ will be recorded upon receipt of Application Serial Number.
- c. ☐ Applicant requests that the above assignee information be published with the application.
20. The power of attorney in the prior application is to

Name of Attorneys of Record

Reg. No.

☐ The power appears in the original papers in the prior application.

☐ The power does not appear in the original papers, but was filed in the parent application on ____.

21. Correspondence Address: Please address all future communications to:

KONSTANTINE J. DIAMOND,
4010 East 26th Street
Los Angeles, CA 90023
Phone: (323) 262-5145
Fax: (323) 269-8506

Respectfully submitted,

WILLIAM P. APPS et al.



Date October 15, 2001

Name: KONSTANTINE J. DIAMOND

Registration No.: 39,657

☒ Attorney or agent of record

☐ Filed under Rule 34(a)